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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT TACOMA

8 LENIER AYERS,

9 Plaintiff,

10 v.

11 HENRY RICHARDS, et al.,

12 Defendants.

Case No. C08-5390BHS

ORDER ADOPTING REPORT  
AND RECOMMENDATION

13 This matter comes before the Court on the Report and Recommendation of the  
14 Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 96). The Court having  
15 considered the Report and Recommendation, Plaintiff's failure to file objections, and the  
16 remaining record, does hereby find and order:

- 17 (1) The Court adopts the Report and Recommendation; and  
18 (2) Plaintiff's motion for a preliminary injunction (Dkt. 48) is **DENIED**; and  
19 (3) This case is re-referred to Judge Strombom.

20 DATED this 27<sup>th</sup> day of February, 2009.

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23 BENJAMIN H. SETTLE  
24 United States District Judge  
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28 ORDER